

SUMMARY OF NO. 11-26

This proposed law would allow the licensing authority of a city or town (such as a local licensing board or a board of selectmen) to issue licenses for supermarkets and grocery stores to sell wine and beer. Local licensing authorities could define which stores qualified as supermarkets and grocery stores, so long as a store occupied at least 7,500 square feet of retail space, its primary activity was and would remain the sale of food for off-premises consumption, and it sold at least 200 different food items to individuals for their personal, family, or household use.

The proposed law would allow local licensing authorities to determine whether to issue such licenses and how many to issue, except in a city or town that had chosen not to allow any sale of alcoholic beverages within its borders. These licenses would not be counted when applying the laws that limit the number of other kinds of alcoholic beverage licenses that may be issued or held. Any applicant for a license would have to be approved by the state Alcoholic Beverages Control Commission, and any individual applicant would have to be at least 21 years old and not have been convicted of a felony. An applicant would not have to be a resident of or a business organized in Massachusetts.

Except where the proposed law has different terms, the same laws and procedures that govern the issuance, renewal,

suspension and termination of licenses for sales of alcoholic beverages to be consumed off-premises, and that govern the operations of holders of such licenses, would apply to licenses issued under the proposed law.

Local licensing authorities could set fees for issuing and renewing such licenses. Any revenue generated by such fees in excess of the cost of administering the licensing system would be used by the city or town, subject to appropriation, only for education, law enforcement and treatment related to alcohol.